

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GUCCI AMERICA, INC.,

Plaintiff,

- against -

JENNIFER GUCCI, JENCO DESIGNS, LLC,
JENNICOR, LLC, JENNY GUCCI COFFEE AND
GELATO COMPANY, INC., VERATEX, INC.,
COLLEZIONE DI CASA, INC., E.L. ERMAN -
DEAD SEA COSMETICS CORP., ELE BRANDS
ENTERPRISE, INC., GBN WATCH
COLLECTION, INC., GBN GLOBAL BUSINESS
NETWORK, EDWARD LITWAK d/b/a ED
LITWAK & ASSOCIATES, GEMMA GUCCI,
GEMMA GUCCI COFFEE AND GELATO
COMPANY, INC., ABC CORPORATIONS 1-10,
and JOHN DOES 1-10,

Defendants.

Civil Action No.

07 cv 6820 (RMB) (JCF)

**FINAL JUDGMENT AND
ORDER FOR PERMANENT
INJUNCTION ON CONSENT**

USDC SDNY
DOCUMENT
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WHEREAS, Gucci America, Inc. ("Gucci") is the owner of the following federally-registered trademarks: U.S. Trademark Reg. Nos. 876,292, 959,338, 972,078, 1,093,769, 1,140,598, 1,168,477, 1,169,019, 1,168,922, 1,200,991, 1,202,802, 1,321,864, and 1,340,599 for the GUCCI word mark; U.S. Trademark Reg. Nos. 1,122,780, 1,123,224, and 1,483,526 for Gucci's Green-Red-Green stripe Design; and U.S. Trademark Reg. Nos. 2,680,237, 3,072,547, and 3,072,549 for Gucci's Repeating GG Design (collectively the "GUCCI Trademarks"); and

WHEREAS, Gucci commenced this action in the United States District Court for the Southern District of New York against Jennifer Gucci, Jenco Designs, LLC, Jennicor, LLC, and Jenny Gucci Coffee and Gelato Company, Inc. (the "Jennifer Gucci Defendants"); Veratex, Inc. and Collezione Di Casa, Inc. (the "Veratex Defendants"); E.L. Erman – Dead Sea Cosmetics

Corp., ELE Brands Enterprise, Inc., GBN Watch Collection, Inc., and GBN Global Business Network (the “Erman Defendants”); Edward Litwak d/b/a Ed Litwak & Associates (“Litwak”); and Gemma Gucci and Gemma Gucci Coffee and Gelato Company, Inc. (the “Gemma Gucci Defendants”), seeking injunctive relief and damages for, inter alia, trademark infringement, arising out of the alleged design, manufacture, marketing, advertisement, offer for sale, sale and distribution of products utilizing the JENNIFER GUCCI name alone, or in conjunction with various other designs, logos and source-identifying indicia, including a green-red-green stripe design and a repeating JG design, all of which Gucci alleges are confusingly similar to the GUCCI Trademarks (the “JENNIFER GUCCI Products”); and

WHEREAS, on August 20, 2007, this Court issued a Temporary Restraining Order on Consent (the “Temporary Restraining Order”) pursuant to the agreement of the parties to this action; and

WHEREAS, the Veratex Defendants and the Erman Defendants have represented and warranted that: (i) they have removed from sale, or offer for sale, all JENNIFER GUCCI Products; (ii) they have not sold any JENNIFER GUCCI Products; (iii) they have fully complied with the Temporary Restraining Order; and (iv) they have turned over to Gucci all non-privileged documents, materials and things in their possession, custody and control requested of them in discovery in the SDNY Action;

WHEREAS, Gucci, the Veratex Defendants and the Erman Defendants have reached a confidential settlement fully and finally adjudicating all claims Gucci has asserted against the Veratex Defendants and the Erman Defendants in this action;

WHEREAS, the Veratex Defendants and the Erman Defendants, without any admission of liability, have consented to the issuance of a Final Judgment and Order for Permanent Injunction on Consent, fully resolving all claims against them, as set forth below:

NOW, THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Veratex Defendants and the Erman Defendants, and their subsidiaries, affiliates, divisions, officers, directors, principals, servants, employees, successors and assigns, and all those in active concert or participation with them, are immediately and permanently enjoined and restrained from:

1. licensing, sublicensing, manufacturing, importing, exporting, advertising, promoting, displaying, distributing, circulating, offering for sale, selling or otherwise disposing of in any manner any JENNIFER GUCCI Products, or otherwise engaging in any advertisement and promotion of any product using the JENNIFER GUCCI name; and

2. licensing, sublicensing, manufacturing, importing, exporting, advertising, promoting, displaying, distributing, circulating, offering for sale, selling or otherwise disposing of in any manner any product bearing any simulation, reproduction, copy, counterfeit or colorable imitation of the GUCCI Trademarks.


IT IS FURTHER ORDERED that, the Court finding no just reason for delay, this Final Judgment and Order for Permanent Injunction on Consent shall be a full and final resolution of all claims that Gucci has asserted against the Veratex Defendants and the Erman Defendants in this Action, and that, subject to the provisions contained herein, the claims against the Veratex Defendants and Erman Defendants are dismissed with prejudice, and the caption in this Action shall be amended to eliminate all reference to the Veratex Defendants and the Erman Defendants.

IT IS FURTHER ORDERED that Gucci, the Veratex Defendants and the Erman Defendants each waive its right to appeal from this Final Judgment and Order for Permanent Injunction on Consent and that Gucci, the Veratex Defendants and the Erman Defendants shall each bear its own costs.


IT IS FURTHER ORDERED that this Court shall retain jurisdiction to enforce any violation of this Final Judgment and Order for Permanent Injunction on Consent.

Dated: New York, New York
June 17, 2008

ARNOLD AND PORTER LLP


By: 
Louis S. Ederer (LE 7574)
John Maltbie (JM 3658)
399 Park Avenue
New York, New York 10022
(212) 715-1000
Attorneys for Plaintiff Gucci America, Inc.

BRYAN CAVE LLP

By: 
Howard Moss Rogatnick (HR 3777)
1290 Avenue of the Americas
New York, New York 10104
(212) 541-2000
*Attorneys for Defendants Veratex, Inc.,
Collezione di Casa, Inc., E.L. Erman - Dead
Sea Cosmetics Corp. ELE Brands
Enterprise, Inc., GBN Watch Collection,
Inc., and GBN Global Business Network*

Dated: New York, New York
June 23, 2008

SO ORDERED:


Hon. Richard M. Berman
United States District Judge